

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

United States of America,	)	
	)	
Plaintiff,	)	<b>INTERSTATE AGREEMENT ON</b>
	)	<b>DETAINERS ORDER</b>
vs.	)	
	)	Case No. 1:09-cr-023
Jason Elton Enzi,	)	
	)	
Defendant.	)	

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On June 23, 2009, Defendant Jason Elton Enzi (“Enzi”) made his initial appearance in the above-entitled action and was arraigned. AUSA Brandi Sasse Russell appeared on the Government's behalf. Assistant Federal Public Defender Orell Schmitz was appointed as defense counsel and appeared on Enzi’s behalf.

Prior to his initial appearance, Enzi was incarcerated by the State of North Dakota at the North Dakota State Penitentiary in Bismarck, North Dakota. After the indictment in this case was returned and an arrest warrant issued, a detainer was filed by the United States with the North Dakota prison officials. Pursuant to the Interstate Agreement on Detainers Act (“IADA”), Enzi’s appearance before this court for his initial appearance and arraignment was secured by a writ of habeas corpus *ad prosequendum*.

During the hearing, Enzi was advised of his rights under the IADA to continued federal custody until the charges set forth in the indictment are adjudicated. Enzi knowingly, voluntarily, and upon advice of counsel waived the anti-shuttling provisions of the IADA and stipulated to his continued housing by the State of North Dakota (the “sending state” under the IADA) at the North

Dakota State Penitentiary pending trial of the charges on the indictment by the United States (the “receiving state” under the IADA).

Based on Enzi’s waiver of the anti-shuttling provisions of the IADA, **IT IS HEREBY ORDERED** that Enzi be housed in the “sending state” under the IADA, at the North Dakota State Penitentiary in Bismarck, North Dakota, pending trial of this matter or until further order of the court. Further, pursuant to Enzi’s waiver, the return of Enzi to his place of incarceration pending trial shall not be grounds under the IADA for dismissal of the charges set forth in the indictment.

Dated this 23rd day of June, 2009.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr.  
United States Magistrate Judge